

Question ____ [Overtime]

Has Plaintiff proved that she worked more than 40 hours in any workweek in the period between May 30, 2016 and July 31, 2017?

Answer "Yes" or "No":

NO

If your answer is "Yes," answer the next question. If your answer is "No," skip to Question [FLSA Retaliation Causation].

Question ____ [Number of Hours Worked]

What reasonable estimate of hours, if any, has Plaintiff proved she worked in the period between May 30, 2016 and July 31, 2017? Answer this question separately for each workweek in the table below.

Workweek Start	Workweek End	Total Hours Worked
May 30, 2016	June 4, 2016	
June 5, 2016	June 11, 2016	
June 12, 2016	June 18, 2016	
June 19, 2016	June 25, 2016	
June 26, 2016	July 2, 2016	
July 3, 2016	July 9, 2016	
July 10, 2016	July 16, 2016	
July 17, 2016	July 23, 2016	
July 24, 2016	July 30, 2016	
July 31, 2016	August 6, 2016	
August 7, 2016	August 13, 2016	
August 14, 2016	August 20, 2016	
August 21, 2016	August 27, 2016	
August 28, 2016	September 3, 2016	
September 4, 2016	September 10, 2016	
September 11, 2016	September 17, 2016	
September 18, 2016	September 24, 2016	
September 25, 2016	October 1, 2016	
October 2, 2016	October 8, 2016	
October 9, 2016	October 15, 2016	
October 16, 2016	October 22, 2016	
October 23, 2016	October 29, 2016	
October 30, 2016	November 5, 2016	
November 6, 2016	November 12, 2016	
November 13, 2016	November 19, 2016	
November 20, 2016	November 26, 2016	
November 27, 2016	December 3, 2016	
December 4, 2016	December 10, 2016	

Workweek Start	Workweek End	Total Hours Worked
December 11, 2016	December 17, 2016	
December 18, 2016	December 24, 2016	
December 25, 2016	December 31, 2016	
January 1, 2017	January 7, 2017	
January 8, 2017	January 14, 2017	
January 15, 2017	January 21, 2017	
January 22, 2017	January 28, 2017	
January 29, 2017	February 4, 2017	
February 5, 2017	February 11, 2017	
February 12, 2017	February 18, 2017	
February 19, 2017	February 25, 2017	
February 26, 2017	March 4, 2017	
March 5, 2017	March 11, 2017	
March 12, 2017	March 18, 2017	
March 19, 2017	March 25, 2017	
March 26, 2017	April 1, 2017	
April 2, 2017	April 8, 2017	
April 9, 2017	April 15, 2017	
April 16, 2017	April 22, 2017	
April 23, 2017	April 29, 2017	
April 30, 2017	May 6, 2017	
May 7, 2017	May 13, 2017	
May 14, 2017	May 20, 2017	
May 21, 2017	May 27, 2017	
May 28, 2017	June 3, 2017	
June 4, 2017	June 10, 2017	
June 11, 2017	June 17, 2017	
June 18, 2017	June 24, 2017	
June 25, 2017	July 1, 2017	
July 2, 2017	July 8, 2017	
July 9, 2017	July 15, 2017	
July 16, 2017	July 22, 2017	
July 23, 2017	July 29, 2017	
July 30, 2017	July 31, 2017	

If you answered more than 40 for any workweek, then answer the next question. If you did not answer more than 40 for any workweek, proceed to Question [FLSA Retaliation Causation].

Question ____ [Notice of Overtime]

Has Plaintiff proved that Defendants had knowledge, either actual or constructive, that she was working more than 40 hours in any workweek during the period between May 30, 2016 and July 31, 2017?

Answer "Yes" or "No"

Question ____ [Willfulness]

Has Plaintiff proved that Defendants knew their conduct in regard to classifying her as an independent contractor was prohibited by the FLSA or showed reckless disregard for whether the FLSA prohibited such conduct?

Answer "Yes" or "No"

Proceed to the next question.

Question ____ [FLSA Retaliation Causation]

Has Plaintiff proved she would not have been terminated but for her protected activity?

Answer "Yes" or "No."

NO

If your answer is "Yes," answer the next question. Otherwise, do not answer any more questions, and the foreperson should complete the certificate below.

Question ____ [FLSA Retaliation Damages]

What sum of money, if paid now in cash, has Plaintiff proved would fairly and reasonably compensate her for the damages, if any, you have found Defendants caused Plaintiff as a result of her termination? In answering this question, please do not include any damages or compensation you think Plaintiff may be owed in connection with her claims for unpaid overtime wages.

Answer in dollars and cents for the following items and none other:

1. Back pay, minus the amount of earnings that Plaintiff received from other employment during the time from August 11, 2017 to the date of your verdict.

\$ _____

2. Mental anguish in the past.

\$ _____

If you answered \$0 for both blanks, do not answer any more questions, and the foreperson should complete the certificate below. If you answered more than \$0 for either blank, answer the corresponding part(s) of the next question.

Question ____ [FLSA Mitigation]

Have Defendants proved that Plaintiff failed to reduce her damages arising from her termination through the exercise of reasonable diligence:

1. In seeking, obtaining, and maintaining substantially equivalent employment after August 11, 2017?

Answer "Yes" or "No."

2. In taking advantage of opportunities to lessen her mental-anguish damages?

Answer "Yes" or "No."

If you answered "No" for both blanks, proceed to Question [FLSA Punitive Damages - Predicate]. If you answered "Yes" for either blank, answer the corresponding part(s) of the next question.

Question ____ [FLSA Mitigation – Amount]

1. How much have Defendants proved Plaintiff would have earned, if any, had she exercised reasonable diligence under the circumstances to minimize her damages?

Answer in dollars and cents:

\$ _____

2. How much have Defendants proved Plaintiff would have reduced her mental-anguish damages, if any, had she exercised reasonable diligence under the circumstances to minimize her damages?

Answer in dollars and cents:

\$ _____

Proceed to the next question.

Question ____ [FLSA Punitive Damages - Predicate]

Do you find that Plaintiff should be awarded punitive damages?

Answer "Yes" or "No."

If your answer is "Yes," answer the next question. If your answer is "No," do not answer any more questions, and the foreperson should complete the Certificate below.

Question ____ [FLSA Punitive Damages – Amount]

What sum of money should be assessed against Defendants as punitive damages for FLSA retaliation?

Answer in dollars and cents:


\$_____

You are done answering questions. The foreperson should complete the Certificate below.

CERTIFICATE

We, the jury, have answered the above and foregoing questions unanimously, and herewith return the same into court as our verdict.

5-15-2024
Date


Jury Foreperson

SIGNED at Waco, Texas, this the 15 day of May, 2024.